

# Housing the rural poor in southern England, 1650–1850

by John Broad

## *Abstract*

This article surveys local provision for the homeless poor in England under the Old Poor Law, considering the effects of a mobile and growing population, and the shifting basis of village agriculture. It analyses the types of housing available and the legal framework for provision before focusing on the part played by housing owned by parishes and local charities. The paper argues that this played a significant role in supporting the poor over much of England. It uses two sources to estimate the scale of provision before the 1834 Poor Law Amendment Act required parishes to sell their housing stock to pay for workhouses.

When in May 1660, John Butcher, a twenty-year-old native of Middle Claydon in Buckinghamshire, sought permission to marry from the rector of the parish, Edward Butterfield, his request was immediately referred to the lord of the manor and sole parish landowner, Sir Ralph Verney. Butcher claimed the right to live in his father's unoccupied and padlocked house in the village, but Verney refused to allow it. In defiance, Butcher made plans to marry in the adjacent small market town of Winslow, but drew back when Sir Ralph ordered his bailiff to make the house uninhabitable by removing the floorboards and demolishing the chimney.<sup>1</sup> Butcher and his sweetheart waited two and a half years before again seeking permission. They were refused and the bailiff again pulled down an empty house the couple had their eyes on. When Sir Ralph was celebrating his son's wedding to the heiress from the adjoining village six months later, Butcher applied again, hoping to find Verney in a more receptive mood. On this rejection he changed tactics, claimed his betrothed was pregnant, and married by licence elsewhere. The couple returned to Middle Claydon and set up house in a barn. Sir Ralph was furious and lobbied a neighbouring JP in a bid to prevent the Quarter Sessions ordering him to house Butcher. When he failed he threatened (on Butterfield's suggestion) to penalize the couple by forcing them to lodge with the bride's mother, well known for her bad temper. Butcher and his wife nevertheless obtained a house and remained resident in Claydon, but were exempt

\* This article has benefited from the comments of those who heard it as a paper in Cambridge in January 1999 and at the British Agricultural History Society's autumn conference 1999, at Northampton, but more particularly from Malcolm Airs, Nat Alcock, Sara Birtles, David Brown, Alan Everitt, Steve Hindle, Tim Hitchcock and Leigh Shaw-Taylor.

<sup>1</sup> Edward Butterfield to Sir Ralph Verney, 14 May, 4 June 1660, Verney MSS at Claydon House, Buckinghamshire (hereafter Verney MSS) Microfilm reel 17 (henceforth R17); Hugh Holmes to Sir Ralph Verney, 4 June 1660, R17. For a wider survey of attempts to control pauper marriage, see S. Hindle, 'The problem of pauper marriage in seventeenth-century England' *Trans. Royal Historical Society* 6th ser., 8 (1998), pp. 71–89.

from the Hearth Tax within ten years, and were receiving help from charities and occasionally on relief twenty years later.<sup>2</sup>

## I

The story of John Butcher and his wife highlights the crucial importance of housing in the life choices of young people without money or property in early modern England. Their marriage was delayed three years. Less determined couples who still respected the link between economic independence and marriage might have been put off even longer. Butcher was the victim of the changing nature of the local agricultural economy. He lived in a parish recently enclosed and converted to ring-fenced pasture farms for fattening or dairying. Demand for labour on these new farms fell short of the local supply and the Verneys were keen to see labouring families emigrate to London or even abroad. At one point Butcher even hoped Sir Ralph Verney would arrange for him and his spouse to be shipped to the colonies as vagrants.

A vital aspect of these social changes was the Settlement Act of 1662, which established rules governing the residence rights of individuals and families. This had enormous implications for where people lived and the pressures that could be exerted on them; yet the housing of the rural poor has been surprisingly neglected in studies of poverty and rural society in the long eighteenth century.

This article examines how labouring and pauper families were housed in the seventeenth and eighteenth centuries and how changes in rural economy and society affected their access to housing. It focuses on the place of publicly owned community housing in the spectrum of resources available to needy families. In the later seventeenth and eighteenth centuries the idea that the poor should be confined to the workhouse, with its segregation, rules and discipline, and encouragement to productive work became the predominant intellectual current in discussions of the treatment of the poor.<sup>3</sup> This article questions the dominance of the workhouse as the preferred solution to the problems of housing a rural under-class. Eighteenth-century workhouse experiments began with a commitment to practical labour but increasingly maintained only the old, orphans, vagrants and quasi-vagrant groups in the community. The legal framework surrounding housing and the poor led to decentralized decision-making by parish elites, who often co-ordinated both charitable and rate-raised resources, and employed them in a variety of flexible and creative ways that did not necessarily entail workhouse building.<sup>4</sup> Most poor families continued to be housed in family units, as parishes and charities

<sup>2</sup> Hugh Holmes to Sir Ralph Verney, 16 Feb. 1662/3, Verney MSS, R18; 25 June 1663, R19; Edward Butterfield to Sir Ralph Verney, 2 Mar. 1662/3, R18; 26 Apr. 1663, R19; Butterfield to Sir Ralph Verney, 13 July 1663, 4/5/16.

<sup>3</sup> Much of the intellectual underpinning for an interest in the institutionalisation of charitable work and particularly the poor comes from Michel Foucault, particularly his *Discipline and punish: the birth of the prison* tr. A. Sheridan (1977). The early eighteenth-century literature on poverty has been carefully reviewed by S. Lloyd, 'Perceptions of the poor' (unpublished D.Phil.

thesis, Oxford, 1991). The workhouse movement before 1834 is covered by T. Hitchcock, 'The English workhouse: a study in institutional poor relief in selected counties, 1696-1750' (unpublished D.Phil. thesis, Oxford, 1985) and A. Digby, *Pauper palaces* (1978).

<sup>4</sup> On this see my 'Parish economies of welfare, 1650-1834', *Hist. J.*, 42 (1999), pp. 985-1006, and D. Eastwood, 'The republic in the village: parish and poor at Bampton, 1780-1834', *J. Regional and Local Studies* 12 (1992), pp. 18-28; J. R. Kent, 'The centre and the localities: state formation and parish government in England, 1640-1740', *Hist. J.*,

responded to local needs by providing accommodation. This paper will describe how parishes approached these problems in southern England where agricultural conditions and changes had greatest impact on rural society.

The problems of housing the rural poor were apparent well before the Restoration, but the settlement law of 1662 defined residence rights more clearly and sharpened parish and landlord politics. Its complex terms generated an enormous volume of litigation.<sup>5</sup> Poor individuals and families were more easily removed to a distant parish where their links were old, remote, or tenuous, and where suitable housing stock was not necessarily available. During the next hundred years some parishes, of which Middle Claydon was one, promoted policies that encouraged out-migration and exacerbated the situation. Whilst England's population remained roughly static between 1660 and 1730 and rose only slowly until after 1780, much of that rise was concentrated in the developing and industrial regions of the midlands and North, and in London. Rural southern English parishes were probably losing population overall, but there was enormous variation between parishes. Some 14 per cent of English parishes may well have lost population between 1660 and 1801, yet a significant number of southern rural parishes, not uncommonly adjacent to declining neighbours, experienced substantial increases, without any economic incentive to growth. In such communities, the demand for new housing was high. They were the 'open' villages that became the recipients of individuals and families increasingly excluded from landlord-dominated 'close' villages. Landlords there enlarged farms to encourage tenants with capital, and where soils were suitable, converted enclosed land to pasture. The opportunities for labourers to take on small farms fell, while conversion to pasture, and the more efficient labour practices on all farms in the eighteenth century, reduced demand for agricultural labour. For every redundant farmhouse and cottage Sir Ralph Verney pulled down in Middle Claydon, there was a housing shortfall elsewhere, and by no means all of it was concentrated in urban areas.<sup>6</sup>

## II

Poor families could be housed in one of three broad ways. Firstly they could take over existing accommodation such as empty farmhouses, or cottages. Individuals were more likely to lodge with existing farmers and cottagers. In other cases it was landlords who subdivided larger village buildings into tenements to let to incoming families. Outmoded farmhouses – occasionally even

38 (1995), pp. 363–409; S. Hindle, 'Exclusion crises: poverty, migration and parochial responsibility in English rural communities, c. 1560–1660', *Rural Hist.*, 7 (1996), pp. 125–49 and his 'Power, poor relief, and social relations in Holland fen, c. 1600–1800', *Hist. J.*, 41 (1998), pp. 67–96; S. Birtles, 'Common land, poor relief and enclosure. The use of manorial resources in fulfilling parish obligations, 1601–1834', *Past and Present* 165 (1999), pp. 74–106.

<sup>5</sup> P. Styles, 'The evolution of the laws of settlement', *University of Birmingham Historical J.*, 9 (1963), J. S. Taylor, 'The impact of pauper settlement, 1691–1834', *Past and Present* 73 (1976), pp. 42–74 and more recently

Hindle, 'Exclusion crises'.

<sup>6</sup> On the population shifts and regional variation see E. A. Wrigley and R. S. Schofield, *The Population History of England, 1538–1871* (1981), p. 163 and P. Deane and W. A. Cole, *British Economic Growth, 1688–1959* (1967), pp. 106–22; on open and closed villages, see S. J. Banks, 'Nineteenth-century scandal or twentieth model? A new look at "open" and "closed" parishes', *ECHR* 41 (1988), pp. 51–73; D. R. Mills, *Lord and peasant in nineteenth-century Britain* (1980) and B. A. Holderness, 'Open and close parishes in England in the eighteenth and nineteenth century', *AgHR* 20 (1972), pp. 126–39.

manor houses such as the fifteenth-century hall house at Wofhamcote (Warwicks.) – were converted or remodelled.<sup>7</sup> This is difficult to quantify during the eighteenth century, but the 1831 census gives figures for houses and families. It shows that in a significant number of villages, particularly in the south midlands, the number of families exceeded houses by 30–50 per cent. At the higher end this meant that up to half of a village's housing stock was subdivided. Secondly, they could live in newly-constructed accommodation, built by landlords, or small freeholders, or construct a cottage themselves. Timber-framed buildings were extremely flexible and renewable and could easily be moved.<sup>8</sup> The wooden frame needed little more than thatch on top, panels of wattle and daub as its sides, and re-usable doors, window shutters (though glass was increasingly common) and floor boards. One item, the stone or brick chimney, required rather more construction skills. John Butcher squatted in a barn and made it his home. In a high court settlement case in 1774 a cottage was described as 'part of a barn'.<sup>9</sup> In 1732 a cottage on the waste at Wotton Underwood (Bucks.) was described as 'properly but a barn, a chimney having been raised to it but of late years'. The structures might be very small, one or two rooms at most.<sup>10</sup>

Many such cottages were built on marginal waste and common land, often in outlying parts of large parishes where manorial and community control was lax. Hamlets with names such as Little London, California, Gibraltar, often originated as squatter settlements. Such squatter houses could still be built in the nineteenth century. The architect Gilbert Scott's reminiscences of a Buckinghamshire childhood include a description of a deranged Gawcott man's endeavours in the 1820s:

After this his great desire was to build himself a house with his own unaided hands on a piece of waste ground by the road side. He made many beginnings but what he built in the day the young men of the village pulled down at night. At length, however, his perseverance and active defence of his work prevailed, and he succeeded in completing a very tolerable batchelors cottage – and enclosed a long piece of waste as a garden which he successfully cultivated.<sup>11</sup>

These antics reflected the continuing popular belief that a squatter gained legal rights if his house was successfully put up overnight.

When squatters built their own homes on waste, the attitude of landlords and manorial courts was vital in deciding whether their erection would be tolerated. At Wotton Underwood between 1617 and 1657, the Grenvilles were demolishing cottages and farmhouses as they increased farm sizes on their manor. At the same time the Mercers' Company allowed the erection of fourteen new cottages elsewhere in the parish on waste belonging to their manor.<sup>12</sup> Elsewhere manorial

<sup>7</sup> N.W. Alcock and C.T.P. Woodfield, 'Social pretensions in architecture and ancestry: Hall House, Sawbridge, Warwickshire, and the Andrewe family', *Antiquaries J.*, 76 (1996), esp. pp. 69–72.

<sup>8</sup> E.g. a bill for £25 for moving a house within Hilllesden (Bucks.) in the 1660s. Coke MSS microfilm at Buckinghamshire Record Office (hereafter BRO).

<sup>9</sup> *Rex v. Woburn* in J. Burrow, *Settlement Cases, 1738–76* (1786), no. 244, for other cases see *ibid.*, nos 34, 194, 195; H. Davies 'The making of a modern landscape:

Wotton Underwood, 1649–1743' (unpublished Reading MA thesis, 1993), p. 63.

<sup>10</sup> Steve Hindle has found barns, kitchens, stables and outhouses converted for pauper housing in Hoddesdon, (Herts.), and kilns licensed for poor dwellings in early seventeenth-century Cheshire.

<sup>11</sup> I. Toplis, G. Clarke, I. Beckett and H. Hanley (eds), 'Recollections of nineteenth-century Buckinghamshire', *Buckinghamshire Rec. Soc.* 31 (1998), p. 27.

<sup>12</sup> Davies, 'Wotton Underwood', pp. 29–30

lords permitted, and sometimes built, cottages on a large scale as is evident from early seventeenth century surveys of nearby Brill, just before the disafforestation of Bernwood, and in the adjoining Otmoor parishes.<sup>13</sup> But even more housing undoubtedly became available through the subdivision of existing houses or the doubling up of houses on garden plots.

Much building was haphazardly permitted for profit. Manorial lords increased their income by acknowledging new cottages on manorial wastes in return for fines and quit rents. However their gain also threatened to increase poor rates, and exacerbate pressure on commonable resources in open field villages. New cottages were a threat to the balance of agricultural life because their inhabitants claimed common rights in manorial waste even where they also enclosed closes and gardens from the waste. As Coke remarked in his *Institutes*, such cottages were 'nests to hatch idleness, the mother of pickings, thieveries, stealing of wood etc, tending also to the prejudice of lawful commoners: for that new erected cottages ... ought not to common waste.'<sup>14</sup> Many of the cottage inhabitants on wastes were newcomers and presented a problem in agricultural parishes long before 1660. In Layston (Herts.), community controversy and tensions in the 1630s were expressed in the vicar's diatribe against the misuse of community housing resources to provide for newcomers arriving in the parish.<sup>15</sup> The preamble to the 1662 Settlement Act specifically refers to idle people settling on the waste, but the act itself raised a new threat. If the occupiers of cottages on the waste were able to prove freehold title by default because declining manorial courts did not contest their claims, then the cottage occupiers gained settlement as of right.

Thirdly, poor families might turn to the parish and charitable foundations for help. This was particularly important for incomers without kinship or neighbourly networks, or the ready cash to pay rent in advance. Parish housing resources in the early modern period were much more varied than the many almshouses and 'hospitals' that are the most prominent surviving buildings for the poor in towns and villages all over England. Such endowed charitable institutions were normally dedicated to the care of the aged or disabled, and were frequently inhabited by the oldest widowed inhabitants of the parish. In many cases they provided an honourable period of retirement for the respectable poor.

Much less is known about the church houses and poor houses, and the cottages built by the parish and charitable foundations for the poor. These have frequently been confused with parish workhouses, but occurred widely across England. Many of the older ones were late medieval buildings that belonged to the parish as a collectivity. Church houses were widely built to provide a meeting place and suitable accommodation for church ales. A survey of Devon church houses revealed that some 162 Devon parishes, or 21 per cent of the total, contained identifiable church house buildings. An 1818 survey showed that at least 61 parishes used them to house the poor.<sup>16</sup> Bishop Wake's diocesan survey at Lincoln provides evidence of 100 parishes, about 10 per cent of the total, with church houses in 1709–12, but many poor houses were omitted, such

<sup>13</sup> J. Broad and R. Hoyle (eds) *Bernwood. The life and afterlife of a forest* (1997), ch. 3.

<sup>14</sup> E. Coke, *The second part of the institutes of the laws of England* (1797 edn), p. 797.

<sup>15</sup> Hindle, 'Exclusion crises'.

<sup>16</sup> G. W. Copland, 'Devonshire church houses', *Trans.*

*Devonshire Association* 92–96, 99, 107 (1960–75), *passim*. For the 1818 survey see *ibid.*, 92, p. 122. See also P. Cowley, *The church houses* (1970) for a more broadly-based piece that probably overestimates the west country's predominance.

as those at East and Steeple Claydon in Buckinghamshire.<sup>17</sup> In some cases such buildings had reverted to private hands. In Steeple Claydon the building originally granted to the churchwardens by the Abbot of Oseney in 1468 had, by 1704, become part of the lord of the manor's property.<sup>18</sup>

Church houses were found in most parts of the country. Another source of communal property that was often used to house the poor was the parish guildhall in East Anglia. There are plentiful examples of such use in eighteenth century Cambridgeshire and Suffolk. Old chantry houses were sometimes converted to parish use after the Dissolution, while the general proximity of many parish-owned properties to the parish church in nineteenth century surveys suggests a continuing connection with medieval benefactions of various kinds.<sup>19</sup>

### III

Church houses and poor houses were an ancient parish resource that could provide housing for a relatively static or slowly changing village community. The internal expansion of England in the sixteenth and seventeenth centuries increased the separation of rural families from small farms in southern England even more than the North, while rising levels of migration exacerbated local housing shortages.<sup>20</sup> The late sixteenth century saw a recognition that cottager and labourer families were increasingly dependent on wage labour as their access to land to grow food was diminished. The implications for family self-sufficiency and for increasing poverty and homelessness were recognized in the provisions of two Elizabethan Statutes. The 1589 Act against the erecting and maintaining of cottages forbade the building of cottages without four acres of land in most circumstances, but a let-out clause permitted the Assizes and Quarter Sessions to allow cottages to remain once built. Lodgers and subdivision of houses were not permitted, but the major burden of enforcing the law was entrusted to the increasingly redundant manorial courts leet.<sup>21</sup> The 1589 statute remained in force until 1775 when it was repealed by a short act whose preamble cited the difficulties poor people had in finding 'habitation' and a fear of the lessening of population.<sup>22</sup> The 1589 Act provided a manorial framework for the erection of cottages by private individuals, either labouring squatters building their own cottages, or their construction by landlords for rent. The act may have been more effective at regulating cottage building than ensuring that new cottages had four-acre plots attached. Presentments to Quarter Sessions to legitimate existing cottages indicate that it was used even

<sup>17</sup> Christ Church, Oxford, Wake MSS, vols 324-6.

<sup>18</sup> Verney Mss, 2/433-4, 831

<sup>19</sup> On guildhalls and the poor in Cambridgeshire see E. Hampson, *The treatment of poverty in Cambridgeshire, 1597-1834* (1939), For Suffolk see PRO, MH12 papers for examples such as Laxfield, Worlingworth Bardwell, and Chevington. For a recent general discussion, see D. Dymond, 'God's disputed acre', *J. Ecclesiastical Hist.*, 50 (1999), pp. 480-1. I would like to thank Steve Hindle for the last reference.

<sup>20</sup> On north-south differences between the kind of land available to labouring families see A. Everitt, 'Farm

labourers', in J. Thirsk (ed.) *Agrarian History of England and Wales* IV (1967), ch. 7.

<sup>21</sup> 31 Eliz. c. 7. Cottages in ports and fishing villages, in towns, and close to quarries and coal mines were exempt.

<sup>22</sup> 25 Geo. III c. 32. There is very little known about the origins of the repeal, but *Observations on the scheme before parliament for the maintenance of the poor* (1776) p. 21 points to pressure from the judges after a case at Chester Assizes in 1774 in which a gentleman was indicted under the act. I would like to thank Joanna Innes for this reference.

in the second quarter of the eighteenth century in many counties including Oxfordshire, Warwickshire and Northamptonshire. The 1589 Act enshrined the concept of the independent labouring man, able to raise a subsistence from his four acres, but likely to sell his skills to farmers and tradesmen for part of the year to supplement his income.

Less well known are the important cottage-building clauses (cl. 4 and 5) in the Poor Law Act of 1601.<sup>23</sup> These gave a majority of churchwardens and overseers, or the JPs at Quarter Sessions, the right to erect 'convenient houses of habitation for poor impotent people' on manorial waste with the agreement of the lord of the manor. It diverged from the 1589 statute in two respects: it did not stipulate that any ground had to be attached to the cottage, and it allowed the sub-division of houses for several families. However it did insist that a house erected under its terms could only be used for 'impotent paupers' and could not be resold by the parish. Cottages built under this act form the core of what became 'community' housing stock in many parishes. Additionally, we may note that the 1722 Act that allowed many parishes to build workhouses and combine parish resources nowhere defined the nature or organisation of a building acquired for parish purposes. Technically, it enabled parishes to build or buy houses for the use of poor. Many parish poor houses built under this act oscillated between an institutional regime, and providing family accommodation.<sup>24</sup>

While the statutes of 1601 and 1722 permitted parish authorities to build or acquire a housing stock from the poor rate, this was not the only source of community housing available to poor families. Village charities also came to be important providers of housing for the poor all over England, but important distinctions are needed. Local charities often owned property within the benefiting parish, and let it out to produce income that was distributed in accordance with the charity's terms. Yet in the seventeenth and eighteenth centuries parish charities often distributed their funds flexibly outside the strict terms of their deeds. Some charities began to let out their houses to poor families rent-free even when they were not specifically providing for the poor. The numbers of houses involved were often small – one, two or three – but plenty of parish charities owned five to fifteen houses and a surprising number had substantially more. Although their administration was supposedly quite separate from that of the parish and in some cases the separation was jealously guarded, in many small parishes it merged with that of parish-owned housing and poor relief. The minister, churchwardens or overseers were often trustees of the charities, and in some cases charities' accounts have survived because they were kept in churchwardens' or overseers' books.<sup>25</sup>

#### IV

These practical parish solutions to housing need are in stark contrast to the main thrust of writing about the poor and the poor laws during the later seventeenth and early eighteenth centuries. These frequently pressed for solutions that involved increasing control over under-employed families. While there was a growing concern about under-population nationally, there were numerous poor, able-bodied but under-employed families in both the countryside and the town. The solutions – putting poor children into apprenticeships, threatening to withdraw

<sup>23</sup> 43 Eliz. c. 2.

<sup>24</sup> 9 Geo. I c. 7.

<sup>25</sup> For more on the interchange between parish and charity functions, see my 'Parish economies of welfare'.

relief from families who had grown children living at home without work – were much less successful.<sup>26</sup> The most prominently discussed schemes involved the provision of institutional housing for the poor in various forms of workhouse. Amongst advocates of these options from the 1690s onwards were John Bellers, the SPCK, and Matthew Marriott whose didactic pamphlets on parish workhouses were based on his experiences in Northamptonshire and north Buckinghamshire in the 1720s.<sup>27</sup> Josiah Tucker stated that ‘if the poor are maintained in separate families, which is a frequent practice in the country, they are under no government at all’.<sup>28</sup> An increasing number of larger, more populous parishes, groups of parishes (especially after Gilbert’s Act of 1782) and even some counties (notably Suffolk) built accommodation for the poor. Most of these linked the removal of paupers from family units into an institutional framework in which they were expected to contribute to their upkeep by productive work. There were exceptions: the late eighteenth-century workhouse plans for Smallburgh in Norfolk provided small numbers of explicitly designated spaces for family units.<sup>29</sup> In practice, workhouses rarely housed homeless family units, and increasingly became a depository for orphans, the aged poor and the disabled and disturbed. The wording of Gilbert’s Act (1782) acknowledged the failure of the ‘work’ element in the system by consistently using the term ‘poorhouse’ in place of ‘workhouse’.

However, practical evidence and a slim pamphlet literature suggests that the workhouse remained a contested institution among parish policy makers. However much intellectuals and the parliamentary classes favoured institutional solutions and successfully pressed them on a wide range of parishes, they were only the most vocal element in the debate on controlling the English rural poor. There were sceptics who remained loyal to traditional values that reflected the fundamental features of the ‘European marriage pattern’, the idea that a couple had a right to a home of their own. One of the few writers who expressed such views in print wrote in 1751 of the importance of couples having their own homes to make ‘young labourious people venture to marry where nothing else could’. If this possibility were restricted in any way ‘what despondency will it drive them into then that they will no longer have a home’.<sup>30</sup>

There are a few recorded practical examples of the continuing importance of such deeply engrained ideas. In East Claydon (Bucks.), the four families living in the church house in 1677 ‘make fires without chimneys against wattled walls, only daubed over with mortar. There is but one common chimney in the said house, but none of them will use it, because every one will be private’.<sup>31</sup> It is this tradition of the independent labouring cottager that I want to follow through, and the ways in which landlords, parish officers and JPs reacted to it. Elite perceptions were mixed. Edmund Verney’s description of how the East Claydon church house functioned ended with two reproofing notes. He remembered that his father-in-law had forced residents

<sup>26</sup> On this see Broad and Hoyle (eds), *Bernwood*, ch. 5.

<sup>27</sup> T. Hitchcock, ‘Paupers and preachers: the SPCK and the parochial workhouse movement’, in L. Davison, T. Hitchcock, T. Keirn and R. Shoemaker (eds) *Stilling the grumbling hive. The response to social and economic problems in England, 1689–1750* (1992).

<sup>28</sup> J. Tucker, *The manifold causes of the increase of the poor ...* (1760), p. 4.

<sup>29</sup> Digby, *Pauper Palaces*, pp. 42–3 shows family units in the plan of Smallburgh workhouse.

<sup>30</sup> [Charles Gray] *Considerations on several proposals lately made for the better maintenance of the poor* (1751), pp. 4–5.

<sup>31</sup> Edmund Verney to Sir Ralph Verney 29 Jan. 1677/8. Clayton Mss, R31 quoted in M. M. Verney, *Memoirs of the Verney family* (4 vols, 1892–9), IV, p. 213



to use the common chimney and believed that the current overseers were negligent, allowing the fabric of the house to decay 'to save their purses', and permitting 'the now dwellers to do what they please'. Poorhouse inhabitants were seen, like John Butcher, as irresponsible people unable to support themselves or their own houses. The law continued to uphold the idea that couples should not marry until they could afford housing. On a parish appeal against an order to provide a house for a poor family in 1670, Judge Twisden ruled that able bodied couples who married without means of support in a parish, could be sent to the house of correction until able 'to provide for themselves' but that this should not be considered a punishment 'unless they refuse to work'.<sup>32</sup>

Ordinary people continued to uphold the idea that families should live in their own homes, even when village elites introduced the workhouse. Ashwell in Hertfordshire is an interesting case in point. In 1728, Ashwell set up a workhouse and gave the poor five days' notice to move into it. The workhouse was well planned with carefully drawn up rules that suggest a humane environment for the poor. Yet ordinary parishioners were soon in uproar about it in ways that suggest that the principle of workhouse authority rather than cost to the rates was at issue. Within fifteen months, a vestry coup saw new vestrymen, several of whom could not sign their names, ordering the suppression of the workhouse and deciding 'to maintain the poor of our said parish according to the usual way, before the said workhouse was erected'.<sup>33</sup> Ashwell was not alone in doing this. Eaton Socon in Bedfordshire had set up a workhouse in 1719 but in 1727 decided to pay in the inmates doles in-house, and in the following year closed it entirely.<sup>34</sup>

Where Eaton Socon's poorhouse inmates were expected to go was a problem, but in general the business of building housing for the poor was a local, parish, matter for much of the eighteenth century. Towards the end of the century cottage building emerged as a matter of architectural interest with the publication of books of designs for picturesque cottages after 1780 that were aimed at improving estate owners. Publications held in the British Library with the word 'cottage' or 'cottagers' in the title were numerous, but their numbers declined (though perhaps coincidentally) after the defeat of Samuel Whitbread's poor bill of 1807. This explicitly provided for parochial cottage building and advocated removing the poor from workhouses and poorhouses wherever possible.<sup>35</sup>

<sup>32</sup> J. Keble, *Reports in the court of King's Bench* (1685), p. 537. *Rex v Grant* etc, Trin. term, 21 Car. II: 'if Persons able marry in the parish, or come thither, they may be sent to the house of correction to work until they can provide by themselves; but not to be there punished, unless they refuse to work'.

<sup>33</sup> Hertfordshire RO (hereafter HRO), D/P7/25/1, Ashwell vestry minutes dated 8 Jan. 1727/8, 5 June 1729.

<sup>34</sup> F.G. Emmison, 'The relief of the poor at Eaton Socon, 1706-1834', *Bedfordshire Hist. Rec. Soc.* 14 (1933), pp. 26-7; cf Kent, 'The centre and the localities'.

<sup>35</sup> J.L. Poynter, *Society and pauperism. English ideas on poor relief, 1795-1834* (1969), pp. 207-19; on Whitbread's investigations on the state of poorhouses see

below p.166. The evidence of publication frequency from the British Library catalogue entries provides a greater sense of the dynamic that the more selective descriptions available in J. Archer, *The literature of British domestic architecture, 1715-1842* (Boston 1985), Appendix E. I would like to thank Malcolm Airs for drawing the latter to my attention. The fluctuations in publication figures are at least as likely to reflect trends in the building cycle where housing starts shrank rapidly after 1805, before a slow rise to a new peak in 1825. For this, see F. Sheppard, V. Belcher and P. Cottrell, 'The Middlesex and Yorkshire deeds registry and the study of building fluctuation' *London J.*, 5 (1979), pp. 176-217.

## V

It is within this context that I want to turn to the central point of this paper – the provision of housing for the poor by parishes and charities in the period 1660–1834. However anachronistic the term may seem, it may be viewed as a first foray into local authority house construction and ownership. The problem will be considered in terms of the pressures on rural housing and how parishes responded to them within the periods 1660–1780 and 1780–1840. This will be followed by an estimate of the scale of rural public housing provision by parishes and charities in the first half of the nineteenth century.

Peter Clark claimed that one of the ‘most striking developments in poor relief’ in the later seventeenth century was ‘the proliferation of . . . habitation orders, authorising the erection of cottages for the poor, the provision of rented housing and so on’. He cites the ‘mass licensing’ of cottages in Northamptonshire.<sup>36</sup> Such orders came in two forms. One was retrospective legitimization of housing, built on the waste under the terms of the statute 31 Elizabeth, where cottages did not have four-acre plots attached. This was common across midland England, with plentiful examples in the Quarter Sessions records for later seventeenth-century Oxfordshire, Warwickshire and Northamptonshire.<sup>37</sup>

The Justices also put pressure on parishes to construct cottages under the statute of 43 Elizabeth for specifically named paupers. Such orders predate the Act of Settlement of 1662. Buckinghamshire Quarter Sessions made a number of such orders in 1647.<sup>38</sup> The Oxfordshire and Warwickshire records after 1662 have been examined in detail. In Oxfordshire between 1660 and 1720, individuals from all over the county petitioned Quarter Sessions because they were homeless and the parish refused to help them. Many of these petitions portray village elites as cruel and ruthless to long-established families quite as much as incomers. There are examples of petitioners who claimed to be sick, old and vulnerable who were particularly harshly dealt with. Ruth Goodson of Hampton Gay had ‘formerly lived well and relieved others’ but when her husband deserted her and their three small children, the landlord threatened to turn her out. Thomas Adams of Enstone suffered multiple disabilities – rupture, diabetes and colic – but a year after his parents died the parish pushed him into lodgings and then found him ‘mean service’. He was so ill he returned after a fortnight to find his room padlocked. Another poor labourer in Chalgrave with a wife and three children found his landlord intending to pull his house down. Elizabeth Rence of Wheatley had been assigned to live in her old and blind father’s house for some eighteen years. Two years after his death she was herself aged and lame. Then suddenly two weeks before her petition three men broke into her house and ejected her. She spent two days and one night in the street before a poor neighbour took her in. Ellis Edwards of Bicester was made homeless and spent five nights in the open porch of Mr Busby’s home in 1701. Several petitions asked the justices for aid because their overseers had put them

<sup>36</sup> P. Clark ‘Migration in England, 1650–1750’ in P. Clark and D. Souden (eds), *Migration and society in early modern England* (1987), pp. 240–1 citing Northamptonshire RO (hereafter NRO), QSR 1.10.70 and others references.

<sup>37</sup> For Northamptonshire see NRO, QS Minute book

1708–27 especially St. Thomas day 1 Geo. I, Michaelmas 4 Geo. I and Easter 4 Geo. I. I would like to thank Leigh Shaw-Taylor for drawing my attention to the Oxfordshire references.

<sup>38</sup> W. Le Hardy and G. L. Reckitt, *Buckinghamshire Sessions Records* (1939), App. 2, pp. 31c–14.

in clearly unsuitable accommodation. One family was living in an 'old untiled stable with no fireplace' while a family of six was living in a single room which they claimed was so small that lighting a fire in it would set fire to the parish.

Petitions only give one side of the story, and some are clearly misleading. Ben Castle of Wilcot claimed he had gone away to do harvest work in Berkshire but when his wife died in his absence the overseers 'took away' his two children and pulled down his house. Yet the same sessions issued a warrant committing Castle to the House of Correction because he had deserted his wife and children and 'is now about marrying again a lewd idle woman'. The Oxfordshire Quarter Sessions petitions show that parishes discriminated against individuals and families who seemed potential candidates for long-term poor relief. Among these are at least half a dozen petitions asking the justices to give people habitation orders when they had been refused a house despite offering to pay rent with cash down. This suggests that in some parishes householders were equally hostile to outsiders, even those who had the means to pay their way and wanted more permanent residence in the community.<sup>39</sup>

In Warwickshire, the JPs made many habitation orders before 1730. In 1689 Quarter Sessions made three orders to parishes to provide poor relief 'until the said overseers provide a habitation'. On one occasion the relief was set at the punitive rate of 4s. per week, and annotated that this was to ensure a house was provided.<sup>40</sup> A woman found living in a church was also given a habitation order. On the other hand the Warwickshire justices did not recklessly encourage cottage builders. They also ordered the demolition of two cottages in Packwood whose occupants had moved on. In Cambridgeshire a similar regime existed and Hampson notes the need for 'concerted action of the bench' to ensure that overseers obeyed orders to provide a house.<sup>41</sup>

In both Oxfordshire and Warwickshire overseers and parishes sometimes contested the Justices' proactive stance. All the cases on cottage provision that went to higher courts and provided precedents in case law reference books seem to derive from Warwickshire. Judges in poor law cases in the seventeenth and eighteenth centuries made judgements that were frequently divergent, even contradictory and ignorant of precedent. Yet there were a clutch of King's Bench cases around 1670 all bearing on questions of pauper housing. One case turned on whether JPs could order a parish to provide a house for someone who was not 'impotent'. Another concerned the question of whether people could be placed as inmates (lodgers) in existing houses. A third adjudicated on whether houses could only be used for the impotent poor once they had been built. By about 1725 legal commentators believed that the JPs could no longer order parishes to build new houses, apparently basing their view on the cases from around 1670. Considerable numbers of building orders exist up to the early eighteenth century, but very few are noted in Quarter Sessions records in Northamptonshire, Oxfordshire, and Warwickshire after 1730.<sup>42</sup>

<sup>39</sup> Oxfordshire RO, Oxfordshire QS Calendars 1681–1830, III, pp. 326, 311, 313, 342, 370, 389, 313, 375. Compare Norma Landau's recent discussion of the timing and purposes of settlement examinations: N. Landau, 'Who was subjected to the laws of settlement? Procedure under the settlement laws in eighteenth-century England', *AgHR* 43 (1995), pp. 139–59.

<sup>40</sup> S. C. Ratcliffe and H. C. Johnson (eds), *Warwick County Records* (9 vols, 1935–64), VIII, pp. 259, 263, 270; VII, p. 90; IX, pp. 21–257–8, 65, 73, 131. I would like to thank David Brown for additional interesting references from this source.

<sup>41</sup> Hampson, *Treatment of Poverty*, pp. 67–72.

<sup>42</sup> S. Carter, *Legal provision for the poor* (London, 1725), unpaginated.

It is unclear whether JPs ceased to order parishes to build houses for the poor, or whether such orders remained unrecorded as they became part of the summary business conducted before individual JPs or Petty Sessions. It does not mean that parishes ceased to build, although the records in parish overseers' and other accounts are opaque and rare. At East Claydon the church house was considered to be an endowed charity in 1677. There is one entry in the overseers' accounts about its repair in 1721.<sup>43</sup> By the time of the charity commissioners' report in the early nineteenth century, it had disappeared. There are exceptions where the history of parish housing can be followed closely in the record. The poor house at Ruston in Norfolk, built for £14 14s. 0d. in 1709, was a wood-framed building, rush-thatched with three doors, glazed, and with an iron oven. It was extensively rebuilt in brick in 1727 at a cost of £26 15s. 0d. Its counterpart in Blickling was regularly repaired on an almost annual basis in the period 1758–97.<sup>44</sup> Parish-owned, or charitable housing built during the century after 1660, was not systematically reported or recorded, so most information has come from micro-studies, or from chance or random discoveries. Mary Barker-Read's detailed study of five Kentish parishes concluded that most parishes had a stock of rent-free housing for the poor and gives examples of different types, while in Cambridgeshire the village of Linton spent money in a variety of schemes to house the poor between 1700 and 1710. Elsewhere in Cambridgeshire there was extensive building of poorhouses around Ely in the period 1735–45.<sup>45</sup> However it is difficult to ascertain the scale of provision in the period 1660–1780 at a national or even county level beyond the existence of long-standing church and poor houses. Some more detailed information is recorded in Bridges' history of Northamptonshire which records cottages 'set aside' or 'built for' the poor for many parishes in the county in the early eighteenth century, though it does not specify parish or charitable ownership. It suggests a range of 5–10 per cent of village housing stock was devoted to the poor, though one parish, Guilsborough had over 25 per cent of its housing assigned to the use of the poor.<sup>46</sup> Despite a lack of a single national source there is evidence of widespread, small-scale building, as well as chance findings of substantial blocks of housing throughout the country.

In many cases, parish, but not usually charitable, property lacked proper title deeds. In the 1840s much parish property was so claimed by virtue of local folk memory, with properties assigned to parish ownership where they had been repaired consistently in living memory, which rarely took the story further back than the 1780s. Myth could often become established, as Barbara English showed in her critique of the historical basis of Flora Thompson's *Lark Rise to Candleford*. The origins of *Lark Rise*, otherwise Juniper Hill, a hamlet settlement in the north Oxfordshire parish of Cottesford, lay not in Flora Thompson's six original freeholders, but in the two 'poor's houses' built by the overseers in 1754, with the addition of two more later.<sup>47</sup>

<sup>43</sup> BRO, PR51/12/1, East Claydon overseers' accounts.

<sup>44</sup> Norfolk RO, PD38/25 and PD434/24. I am most grateful to Sara Birtles informing me of the source and for sending me her transcripts of the records.

<sup>45</sup> M. Barker-Read, 'The treatment of the aged poor in five selected West Kent parishes, from settlement to Speenhamland' (unpublished Open University PhD thesis, 1988), pp. 76–88. I would like to thank Penelope Corfield for this reference. Hampson, *Treatment of*

*Poverty*, pp. 71–2, 93.

<sup>46</sup> J. Bridges, *The history and antiquities of the county of Northampton* (?1740). I would like to thank Leigh Shaw-Taylor for this reference. An interesting sidelight on this is that by 1840 there appears to have been neither parish-owned, nor charity housing, in Guilsborough.

<sup>47</sup> B. English, 'Lark Rise and Juniper Hill: a Victorian community in literature and history', *Victorian Studies* 29 (1985/6), pp. 7–34.

The survival of charitable trust records is also patchy, but a few well-documented cases show that in some parishes charities had acquired large blocks of housing before the nineteenth century. Great Brington in Northamptonshire, at the very centre of the Spencer estates near Althorp, had a substantial charity estate, but it was not a paternalist enterprise of the Spencers. Its origins lie in a deed of 1450 leaving land to thirteen trustees for 'the use and profit of the parishioners ... in greatest need'.<sup>48</sup> After the dissolution of the chantries the villagers protested so vigorously at its confiscation that they obtained the land 'no use but to be employed by the parishioners to such use as to them shall seem good and necessary'.<sup>49</sup> By 1690 there were five cottages and five more 'lately made eight tenements'.<sup>50</sup> Control had fallen to the Spencers by the early eighteenth century because the deeds had been entrusted to them for protection during the Civil War. By 1743 the Spencers had managed to have the terms changed from 'other' to 'pious' uses.

Yet folk memory came to the defence of what was truly a parish charity. It emerged in an undated petition, almost certainly just before 1771, in which four local men balanced due deference to Earl Spencer with a firm commitment to the charity's independence. They demanded that the deeds be put back in the iron parish chest where they had lain for centuries, but also that the trustees be properly reconstituted. They were confident that the writings would be returned but were anxious 'that we may not bring a curse upon ourselves and our children here after' if this did not occur. They suggested that the Spencers chose some 'neighbouring gentlemen' as trustees, but pointed out that there used to be fifteen or sixteen tenants and freeholders amongst the trustees. When new trustees were duly appointed in 1771, all four men appeared on the list. In 1539, the Great Brington charity seems to have had 4 messuages, 2 cottages, and 3<sup>3</sup>/<sub>4</sub> yardlands. By 1820 there were 29 houses, of which 13 were let rent-free. Not all this had been done by subdivision: in 1815 the Charity Commissioners reported that one trustee was owed sums for building four new cottages, and rebuilding some old ones.<sup>51</sup>

Parishes and their charities not only built houses; they also frequently bought them. In Kent, Maidstone bought houses in sixteenth century, Cowden and Tonbridge in the early seventeenth century, while Ashwell in Hertfordshire did so in the years around 1700.<sup>52</sup> This begs the question why should they have made financial commitments on such a scale, and why private enterprise was not doing the job effectively. Margaret Spufford has suggested that it was only in the late seventeenth century that permanent cottage accommodation was built that survived more than a couple of generations.<sup>53</sup> The increasing use of brick for cottages made structures more permanent, yet brick houses remained conspicuously more expensive than their wattle and daub counterparts in 1700.<sup>54</sup> Even in the nineteenth century parishes built 'mud' houses for

<sup>48</sup> NRO, Great Brington charity estate records.

<sup>49</sup> G. Baker, *The history and antiquities of the county of Northampton* (2 vols, 1822-41), I, p. 100.

<sup>50</sup> NRO, Great Brington charity estate records, deed dated 13 June 1690.

<sup>51</sup> NRO, Great Brington charity estate Mss, deeds - some of which are reprinted in *Tracts ... relating to Northamptonshire* sec. ser. (Northampton, 1881) from the original tract of 1876. Elizabeth Hurren's researches at University College Northampton show that

popular control of the charity was again reasserted in the 1890s.

<sup>52</sup> Barker-Read, 'Treatment of the aged poor', pp. 80-1, 84-6; HRO, D/P7/25/1, in loose papers at the end of the volume.

<sup>53</sup> M. Spufford, *The great re-clothing of rural England* (1984), pp. 1-3.

<sup>54</sup> M. Airs and J. Broad, 'The management of rural building in seventeenth-century Buckinghamshire', *Ver-nacular Architecture* 29 (1998), pp. 43-56

poor families.<sup>55</sup> Although landlords and benefactors built brick almshouses in the sixteenth and seventeenth centuries, they rarely built cottages to a high standard before the era of the grand country seat, with its wholesale redesigning of the landscape and movement of entire villages. Lord Orford undertook a considerable amount of cottage building at Chippenham in Cambridgeshire between 1696 and 1712, when he bought out the copyholders in preparation for redesigning the village and expanding the park. The Earl of Harcourt provided a correspondent with a description and sketch of cottages he built at Nuneham Courtenay in these circumstances in 1767, and made the point that each cottage had its own chimney (and therefore hearth).<sup>56</sup> Such model villages spawned the vogue for picturesque cottage design and the sentimental cult of the cottager, but left most villages untouched. As Potter wrote grandiloquently in 1775:

Whilst we are rolling thro' the kingdom in our post-coaches, post-chaises, chairs, whiskies, and a variety of whirligigs of a whimsical construction, the high culture of our lands gives us the idea of a *Ferme bien orné*, our nobility live in palaces, our gentry in villas, commerce has made us a nation of gentry, every farm-house is a grange, and the whole is one delightful scene of convenience, plenty, elegance, splendor, and magnificence. Mean time our interior police is disgrac'd with the number of our starving, naked, unshelter'd, miserable Poor; this is an ulcer in our vitals.<sup>57</sup>

It was more than thirty years before the movement for better cottage conditions appeared and allotments and smallholdings for the poor began to be developed.

Those villages and communities that lay outside the constructed landscape of the eighteenth-century gentry were subject to another feature of changing Poor Law administration in the late seventeenth and early eighteenth centuries. Many seventeenth-century landlords of a traditional and paternal outlook made no attempt to extract rents from poor cottagers who were in receipt of poor relief, as for instance on the Verney estates in Buckinghamshire where rentals between 1679 and 1694 consistently give lists of cottagers who paid no rents. This practice appears to have changed in many places between 1700 and 1725. At Middle Claydon, seven or eight cottage rents were regularly paid from the overseers' accounts after 1710. At Bledlow (Bucks.), four rents were chargeable in 1702, but this had increased to 14 by 1721.<sup>58</sup> In Ashwell (Herts.), additional rent payments account for a significant part of the rise in poor rates in the period leading to the setting up of the workhouse. In 1678 only two or three rents were being paid, but in 1716 and 1721 there were twelve and thirteen respectively.<sup>59</sup> In Butlers Marston (Warwicks.) the parish began paying rents rather later (in 1731) but by the 1790s was paying for eight cottages or about 12 per cent of the parish housing stock.<sup>60</sup>

<sup>55</sup> N. Alcock 'Halford Cottages: mud construction', *Birmingham and Warwick Archaeological Society* 87 (1975), pp. 133-6. Alcock argues that these cottages, which can be dated from accounts to 1820-1, are in appearance more reminiscent of late eighteenth-century cottages and were deliberately old-fashioned in both design and construction material.

<sup>56</sup> M. Spufford, 'A Cambridgeshire Community. Chippenham from settlement to enclosure', *Department of English Local History Occasional Papers* 20 (1965); NRO,

H(K) 192, Earl of Harcourt to William Hanbury, May 1767. This document was discovered by Dr Keith Goodway, and drawn to my attention by Malcolm Airs.

<sup>57</sup> R. Potter, *Observations on the poor laws on the present state of the poor, and on houses of industry* (1775), p. 31.

<sup>58</sup> BRO, PR17/12/1 (Bledlow).

<sup>59</sup> HRO, D/P7/12/12/1 (Ashwell).

<sup>60</sup> J. Lane, 'The administration of Butlers Marston in the eighteenth century', *Dugdale Society occasional papers* 21 (1973), pp. 9-10.

In Middle Claydon a major land-owning family was off-loading its cottage rents as part of the professionalisation of estate administration, and tightening accountancy practices. In parishes with much more diffuse landownership patterns, there were similar practices. One factor was the rise in absentee ownership of village smallholdings and cottage properties that Chibnall found in Sherington (Bucks). There, new absentee owners had no personal interest in the plight of poor village families and saw their property only as a source of income. Yet the new owners were as likely to be the offspring or siblings of old village families who had inherited the properties and now lived elsewhere.<sup>61</sup>

In the period 1660–1780, pressure on rural housing became a significant factor in the administration of poor relief, affecting not just rent subsidies but the building of additional housing. The physical division of cottages into tenements or the lodging of several families in a single house also provided additional accommodation. While some parishes tried institutional solutions, erecting workhouses and poorhouses, many built houses for poor families with parish money. In other communities charitable funds were used to build additional cottages, or charities made their existing houses available to the poor rent-free.

## VI

Between 1780 and 1834 a rapidly rising rural population affected the scale of rural housing provision while increasing public concern for the welfare of the rural poor spurred attention to its quality. The late eighteenth century population increase has been linked to rising nuptiality, which meant that more families needed housing. At the same time the rural population of southern England became more static than before. Housing became an acute problem in villages as pauperisation increased.

David Brown has shown that it was still possible for large and important squatter communities to develop in the late eighteenth and early nineteenth centuries on marginal waste at county edges in Staffordshire and Herefordshire. Such settlements were increasingly rare as the pace of enclosure accelerated.<sup>62</sup> Yet parishes in southern and midland England also developed communities on the wastes, separate from the main village (as at Juniper Hill). While much building of this sort was unsanctioned, there is good evidence that parishes and charities increased village housing stock over the period 1780–1830 by financing building and purchase with borrowed money as well as accumulated revenues. The quality of provision was more doubtful. In some respects 'less eligibility' was a reality before 1834. While workhouses built in the period were overwhelmingly substantial brick structures, cottages often remained primitive. Few accounts survive, but one, for a new cottage erected by the overseers in Halford (Warwickshire) in 1820 explicitly states that it was mud-built. This has been confirmed by inspection.<sup>63</sup> It is impossible to say whether overall additions to the parish housing stock increased faster than in earlier period because of deficiencies in earlier records, but there is plenty of evidence of activity after 1780 from the returns made under the New Poor Law.<sup>64</sup>

<sup>61</sup> A. C. Chibnall, *Sherington: fiefs and fields of a Buckinghamshire village* (1965), pp. 202–4, 230.

<sup>62</sup> D. G. Brown, 'Enclosure and improvement. An investigation into the motives for parliamentary enclosure'

(unpublished Wolverhampton Polytechnic PhD thesis, 1992).

<sup>63</sup> Alcock, 'Holford cottages'.

<sup>64</sup> See below p. 167.

Parishes also acquired housing stock by two other mechanisms. Peter King has shown that from the later eighteenth century, parishes increasingly came to agreements with individuals and families in crisis by which the parish supported the family for life in return for all the family's goods and real property. King's examples relate to Essex, and focus on household goods, but freehold cottage properties passed to parishes in this way all over southern and midland England between 1780 and 1834 and were specified in the parish property returns after 1834.<sup>65</sup> Parishes also acquired property when absentee owners failed to repair property in which paupers were living. Such landlords found it difficult to extract rent from impoverished labourer tenants. In the earlier period they would have looked to the parish for their rent, but in a period of rising rural poverty they were caught in a double bind, forced to make a choice between paying higher poor rates to finance parish rent subsidies, or receiving no rent.<sup>66</sup> In the 1830s a large number of parishes became the imputed owners of properties only because they could prove they had repaired them over many years.

Some cottage building may reflect the public outcry against conditions in parish workhouses and poor houses that took place after 1790. Samuel Whitbread's graphic descriptions of conditions in Bedfordshire between 1801 and 1814, following the Workhouse Inspection Act of 1790, show many poor houses were in ruinous condition and harmful to their inhabitants.<sup>67</sup> Evidence from poor houses and workhouses in several counties suggest they were often under-used, and had sometimes been partially re-divided to allow some families to live as family units. A verse description of 'The village poor house' in 1832 suggests it contained many young people, including an unmarried couple. Many reports around 1834 argued that administrative discipline had broken down and that those supposedly in charge had little practical capacity to influence day-to-day activities. New union officials may have been keen to impress a fledgling Poor Law Board about to institute wholesale change, but their reports were probably not wholly misleading.<sup>68</sup>

By 1834, a considerable number of parishes nationwide had acquired, by a variety of means, a significant influence over the housing supply for the poor. The pattern across England varies, but in most of the hundreds and/or Poor Law Unions investigated for this paper, there was at least one parish with an important block of family housing, and others with significant amounts. The remainder of this article will attempt to answer the question of why this has remained unknown to historians, and how far it can be quantified.

## VII

My researches make possible a reasonably accurate estimate of parish and charity owned housing in the last years of the Old Poor Law regime. Data has been collected for ten counties south of the Trent which confirms general trends across six midland and southern counties analysed in more detail. Further analysis of Bedfordshire and Buckinghamshire at the level of

<sup>65</sup> P. King, 'Pauper inventories and the material lives of the poor in the eighteenth and early nineteenth centuries', in T. Hitchcock, P. King and P. Sharpe (eds), *Chronicling Poverty. The voices and strategies of the English poor, 1640-1840* (1997), pp. 155-91.

<sup>66</sup> The problem is well highlighted in W. W. Whymper, *Reasons why landlords should pay the poor rates for*

*tenants of 10s and under* (Woodbridge, 1833).

<sup>67</sup> See Bedfordshire RO (hereafter Beds. RO), W1/762-72. The Act is 30 Geo III c. 49.

<sup>68</sup> 'A country curate', *The village poor house* (1832). There are reports on existing workhouse and poor house provision made in 1834 in a number of poor law unions. e.g. PRO, MH12/380, 525, 21.



post-1834 Poor Law Union provides evidence of more local differentiation and sub-regional patterns. The figures combine information from two reasonably reliable sources that do not duplicate each other and, incidentally, confirm that there was significant provision before 1780.

Charitable housing figures have been drawn from the Charity Commissioners' reports, scattered through the Parliamentary Papers for the first third of the nineteenth century, and made practically accessible through the 1843 Abstract Tables.<sup>69</sup> The figures for parish-owned housing are derived from central Poor Law records. These records are also the reason why the scale of parish housing provision has been underestimated for so long. The 1834 Poor Law Amendment Act laid down that all parish housing should be sold off to pay for the building of the new workhouses, a position buttressed by a further clarifying act in 1835.<sup>70</sup> Under the New Poor Law, parish housing became redundant, since outdoor relief was prohibited and paupers should not be living in cottages. Parishes were required to inform the Poor Law board of the property they owned and the distinctive yellow and blue forms used give property descriptions, current use, and putative valuations.<sup>71</sup>

Data for parish and charitable housing for three south and east Midland counties – Northamptonshire, Buckinghamshire and Bedfordshire – has been collated and is presented with the equivalent material from Warwickshire and the Dorset for comparative purposes. The data is substantially complete, and the main sources of error appear small and tend to deflate rather than inflate totals.<sup>72</sup> In the case of charitable housing, the Abstract Tables record where housing is being let to poor people, or for no rent. In doubtful cases, reference has been made back to the original reports. This has made it possible to derive an estimate of the scale of community housing, combining parish-owned and charity-owned property, has been derived for five Poor Law counties as shown in Table 1. This estimate has then been expressed as a percentage of all houses discovered by the 1831 census.

The figures presented there indicate marked variations both in numbers, and in the proportions of community housing owned by parish authorities and by charities. Northamptonshire, a large county with many parishes, stands out in the size of its overall provision, which was overwhelmingly parish-owned. Its 1101 houses were equivalent to the number of houses in a medium sized hundred of ten or fifteen villages. Warwickshire had by far the largest proportion of charity-owned housing. This probably reflects the importance of Gilbert's Act and other workhouse incorporations before 1834, rather than the absence of parochial activity, which as we noted earlier is well recorded in Quarter Sessions material for the late seventeenth and early eighteenth centuries. The workings of Gilbert's Act nationally need some re-appraisal in this

<sup>69</sup> BPP, 1843, XVI, XVII, 'Analytical digest of the reports made by the Commissioners of Inquiry into charities'.

<sup>70</sup> 5 and 6 Wm IV, c. 69.

<sup>71</sup> These forms are all to be found amongst the MH 12 series at the PRO. I am extremely grateful to Bridget Lewis of University College Northampton for bringing this source to my attention. I would like to thank Meryl Wilson for her help in gathering this material.

<sup>72</sup> All sales from the relevant central Poor Law records have been abstracted from the MH 12 volumes covering the period 1834–42. Most sales took place in that period, although

checks up to 1854 on a random selection of unions show rare occasions where sales were delayed beyond 1850. Some parish property was not sold because sharp-witted landed proprietors did deals with parishes that favoured them. For instance the Duke of Bedford, at Chenies in Buckinghamshire, agreed an exchange of ten parish cottages for the old workhouse that was technically held on his lease. Elsewhere there are examples of parishes attempting to circumvent open sale by transfer to debtors (sometimes the builders of houses) or the conversion of parish property into schools – see MH12/382.

TABLE 1. Community housing in five selected Poor Law counties, c. 1834

	<i>Parish houses</i>	<i>Charity houses</i>	<i>Total</i>	<i>Percentage of houses</i>
Bedfordshire	291	107	398	26.9
Buckinghamshire	445	125	529	23.6
Dorset	306	16	322	5.0
Northamptonshire	978	123	1101	11.2
Warwickshire	271	163	434	37.6

*Source:* see text p. 167.

light, for it also included a clause allowing the voluntary unions to sell parish properties to finance poorhouses.<sup>73</sup> This appears to have happened in Rugby Poor Law Union, where the Gilbert's Act union was dissolved in 1834. In the parishes of the old union there were virtually no properties to sell. However the New Poor Law union included parishes from Leicestershire and Northamptonshire where there were large blocks of 10, 20 or, at Crick, 39 parish cottages. In Dorset, the southern side of the county had much lower levels of both parish and charitable housing. More parishes had no community provision, but where it occurred numbers and types of provision followed a similar pattern to elsewhere in the country. The underlying demographic, migratory, and economic and social dynamics of these features need further exploration. However, the northern part of the county, especially around Shaftesbury, had much larger numbers of parish houses. Preliminary indications from the Welsh borders, East Anglia, and the south east of England also show varied patterns of provision within counties.

Analysis of Bedfordshire and Buckinghamshire Poor Law counties at parish level by Poor Law Union permits a greater level of sophistication and probes some of the variation within counties (Table 2). In the two counties, half of all parishes had some community housing, while almost a quarter of parishes had five or more houses, and more than ten per cent had more than ten houses. Viewed from another angle, ten per cent of parishes held more than ten per cent of their total housing stock in community hands. Such a percentage is relatively easy to derive in a small village of fifty houses (250 inhabitants) or fewer, but this was not an important factor. Further investigations showed that one third of parishes with more than ten per cent of their housing stock in parish hands had more than 100 houses. Detailed analysis also brings out a range of geographical variation. Comparison of unions that had many pre-existing workhouses with those that had few reveals little correlation in their ownership of housing. Aylesbury Union had only two existing workhouses in 1834, yet fewer parish houses than Eton Union where over half the parishes had workhouses. Newport Union, in north-east Buckinghamshire, where Matthew Marriott's early eighteenth century workhouses had flourished, was one of the unions with fewest workhouses in 1834. Some part of that legacy may persist in the fact that in Newport hundred there was very little parish-owned housing, but a considerable stock owned by charities. This was in sharp contrast to the adjoining unions

<sup>73</sup> 22 Geo III c. 83, cl. 43 permits the sale of 'any house, cottage or building which shall have been erected or purchased for the use of any poor person or persons at the expense of such parish, lordship or place'.

TABLE 2. Parish and Charity housing in Bedfordshire and Buckinghamshire by poor law union, c. 1834.

<i>Poor Law Union</i>	<i>number of parishes</i>	<i>number with houses</i>	<i>number with &gt;10 houses</i>	<i>number with ≥5 houses</i>	<i>Total parish houses</i>	<i>Total charity houses</i>	<i>Number with workhouse</i>
Bedfordshire:							
Amphill	17	13	2	4	45	30	4
Bedford	38	15	1	8	58	13	0
Biggleswade	24	13	1	4	37	12	5
Leighton	11	7	2	2	69	27	2
Luton	11	8	2	2	54	8	2
Woburn	16	10	1	3	28	17	6
TOTAL	117	66	9	23	291	107	19
(%)		56	8	20			16
Buckinghamshire:							
Amersham	10	8	2	3	32	9	6
Aylesbury	34	19	4	7	28	5	2
Buckingham	26	11	4	7	91	0	1
Eton	17	10	1	2	9	22	9
Newport	37	14	4	9	39	73	1
Winslow	16	7	5	7	158	2	1
Wycombe	28	15	3	10	88	14	8
TOTAL	168	84	23	45	445	125	28
(%)		50	14	27			17
TOTAL of both counties (%)	285	150	32	68	736	232	47
		53	11	24			16

Source: PRO, MH 12/1-138, 380-529 *passim* (volumes covering 1834-44); BPP 1843 XVI, tables for Bedfordshire and Buckinghamshire.

of Buckingham and Winslow where parishes owned large numbers of houses, but practically none belonged to charities.<sup>74</sup>

Within the two counties there were both individual parishes, and clusters of parishes including a number of small towns, with large numbers of community-owned houses. The greatest number of houses in a parish across the two counties was found in Leighton Buzzard, a market town with several dependent chapelries, which boasted sixty community-owned houses. Since there were over 1000 households and 5000 inhabitants in the parish, the overall percentage was not high (5.9 per cent) but the impact may have been considerable. Other towns that indulged in cottage building rather than workhouses were Luton (33), Buckingham (31) and Winslow (42).<sup>75</sup> By far the most marked concentration of cottage-owning was in Winslow poor law union

<sup>74</sup> On Marriott, see Hitchcock, 'The English workhouse', ch. 2.

<sup>75</sup> Some of the processes of building in Luton can be

seen from the Consolidated Charity fund accounts, in the Distribution fund; see Beds RO, P85/25/1/1.

where over one third of the parishes had more than ten houses, and more than ten per cent of the housing stock. In addition to Winslow, the parishes of Stewkley, with 27, and Mursley, with 39, stand out. Mursley's parish housing represented almost 39 per cent of the total housing in the village. What is equally interesting is that in that area, there appears to have been almost no charitable housing.

The findings from analysis of these five selected counties has prompted further research to sample data from other regions such as East Anglia, where the workhouse movement became more systematically established in the mid-eighteenth century. Preliminary findings from there, from the south-east of England, and the western borders, suggest parish and charitable housing was a national, not a regional phenomenon, but it remains to be seen whether the findings for the south and east midlands represent the greatest regional concentration of such housing. The next stage of the project will examine the more rapidly industrialising north of England to see whether the economic and social dynamic of that area produced similar local responses. From the national sample it is then intended to look at how parish house ownership related to questions of multiple occupancy and poor rates indicated in the 1831 census, and the effects of later eighteenth century workhouse schemes.<sup>76</sup>

## VIII

This preliminary survey has shown that under the Old Poor Law, a high proportion of parishes throughout England owned, either in their own right, or through local charities, a significant proportion of the village housing stock which they used to provide for poor and pauper families. They added to this stock by purchasing and actively building houses using money from the poor rates, or taking loans on its security, and not simply by putting abandoned local housing to makeshift use. Village communities continued the tradition of providing Englishmen and Englishwomen and their families with a separate home, or at least private space, through all the pressures of the early nineteenth century surge in population. They did so despite the heavy weight of propaganda advocating workhouses and other alternatives to the old poor law, which fill the pamphlets of the eighteenth and early nineteenth centuries. The opposing voices are there, but their very lack of novelty made them less interesting to contemporaries, and perhaps since to historians. Moreover, their achievements were destroyed by the New Poor Law. Once outdoor relief became an anathema, pauper housing was redundant. Logically, the only thing to do with such housing was to sell it off. Rate-paying farmers, just emerging from the rough times of agricultural depression, were unlikely to oppose such an attractive proposition. Parishes in the 1820s and 1830s were rarely rich, and some not only had high poor rates, but had also borrowed money to build new houses. Parish housing, like any other housing stock, needed periodic repair and rebuilding. The forms filled in by parishes at the time of sale maybe tendentious in their description of the state of their properties, but a high proportion was described as in decayed or ruinous condition. There are many parallels in situation and solutions with what has happened to a much greater publicly owned housing stock during the course of the twentieth century.

<sup>76</sup> The further data collection, and comparisons with census and poor law material has been made possible by a grant from the British Academy awarded after the submission and acceptance of this paper.